

Chapter 27.77

CERTIFICATES OF OCCUPANCY AND CERTIFICATES OF COMPLIANCE

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27.77.010 Required for Changed or New Occupancy.

Subsequent to the effective date of this title, no change in the use or occupancy of land, nor any change of use, occupancy, or occupancy classification under the building code of any existing building or portion thereof shall be made, nor shall any new building be used or occupied, except as hereinafter specifically provided, until a certificate of occupancy has been issued by the building official. Every certificate of occupancy shall state that the new use, occupancy, or occupancy classification complies:

(a) With the provisions of this title or with the terms, conditions, and requirements of the special permit authorizing such building or use, as the case may be; and

(b) With the provisions of the building code.

Such certificate shall include, where applicable:

- (1) The building permit number;
- (2) Address and legal description;
- (3) The name of the owner;
- (4) A description of the building or portion thereof, or of the premises or portion thereof for which the certificate is issued;
- (5) The name of the building official issuing the same. (Ord. 12571 §400; May 8, 1979).

27.77.020 Certificate of Occupancy; Required for Building Permit.

No permit for the erection, structural alteration, conversion, enlargement or reconstruction of any building or use of land shall be issued before the application has been submitted, reviewed and a finding made that the proposed uses will meet the requirements of the zoning ordinance for a certificate of occupancy; and no building or premises shall be used or occupied until such certificate is issued. (Ord. 12571 §401; May 8, 1979).

27.77.030 Certificate of Occupancy; Required for Nonconforming Uses.

A certificate of occupancy shall be required of all lawful nonconforming uses of land or buildings created by adoption of or amendment to this title. Application for such certificates of occupancy for nonconforming uses shall be filed with the building official by the owner or lessees of the land or building

occupied by such nonconforming use within two years from the date that such nonconforming use is created. It shall be the duty of the building official to issue a certificate of occupancy for a lawful nonconforming use. Failure of the building official to issue such certificate of occupancy for nonconforming use may be considered evidence that such nonconforming use did not lawfully exist at the effective date of this title or any amendment thereto creating such a nonconforming use. (Ord. 12571 §402; May 8, 1979).

27.77.040 Record of Certificates of Occupancy to be Kept.

A record of all certificates of occupancy shall be kept on file in the office of the building official, and copies shall be furnished on request to any person having a proprietary or tenancy interest in land or buildings affected by such certificate of occupancy. (Ord. 12571 §400; May 8, 1979).

27.77.050 Special Permits; Certificate of Compliance.

Upon completion of construction of any improvements as authorized or required by the City Council for any buildings or uses for which a special permit was granted, the permittee may apply for inspection and partial certification, and upon completion of construction of all such improvements, the permittee shall apply to the building official for a certificate of compliance, which certificate shall not be issued until the building official has inspected the premises covered by the special permit and has found that all terms, conditions, and requirements of the special permit have been complied with.

If the building official finds at any time that the terms, conditions, and requirements of a special permit have not been complied with, or that any phase thereof has not been completed within the time required under said special permit or any administrative amendment thereto, the building official shall report this fact to the City Council which may, after a hearing of which the permittee shall be notified, revoke such special permit for failure to comply with such terms, conditions, and requirements, or take such other action as it may deem necessary to obtain compliance.

Any amendment to a special permit approved subsequent to the issuance of a certificate of compliance for such special permit shall require application by the permittee for a new certificate of compliance which shall not be issued until the building official has ascertained that any terms, conditions, and requirements of the amendment to the special permit have been complied with.

For purposes of this section, the term "special permit" shall include authorizations under Chapters 27.31, 27.37, 27.53, 27.65, 27.63, and 27.69. (Ord. 12571 §404; May 8, 1979).